

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ACEA MOSEY, As Public Administrator
of the Estate of JOHN S. REARDON,

Plaintiff,

vs.

COUNTY OF ERIE,

SHERIFF TIMOTHY B. HOWARD,
Individually and In His Official Capacity
As Sheriff of Erie County and

JOHN DOE 1-10, Individually and In
Their Official Capacities, Being Fictitious
Names Designating Erie County Sheriff's
Deputies and/or Employees of the County
of Erie, Erie County Sheriff, and/or Erie
County Sheriff's Department, the Real
Identities of Said Defendants
Being Unknown to Plaintiff,

Defendant.

S I R S :

PLEASE TAKE NOTICE, that upon the annexed Petition of Acea Mosey, As
Public Administrator of the Estate of John S. Reardon verified on the 29th day of October,
2012 and the annexed Affirmation of Michele A. Braun, Esq., affirmed the 23rd day of
October, 2012; the Waiver and Consent of Ashley Reardon sworn to 9th day of
November, 2012, the Waiver and Consent of Seth Reardon sworn to 8th day of
November, 2012 and the Waiver and Consent of NYS Department of Taxation and
Finance John C. Miller Associate Attorney sworn to 16th day of November, 2012, an
application will be made at a date and time to be determined by the Court, if necessary,

**NOTICE OF PETITION
FOR APPROVAL OF
WRONGFUL DEATH
SETTLEMENT AND SEALING**

Civil No.: 1:10-cv-405

Justice Assigned:
Hon. William M. Skretny

for an Order approving the settlement of the above-captioned wrongful death action and directing Allocation and Distribution of the net proceeds of the settlement pursuant to §5-4.4 of New York's Estates, Powers and Trusts Law, and sealing the Petition and supporting papers submitted herein to protect the confidentiality of the settlement, and for such other and further relief as the Court deems just and proper.

DATED: Buffalo, New York
December 11, 2012 Yours, etc.,

LIPSITZ GREEN SCIME CAMBRIA LLP

By:S/Michele A. Braun

Attorneys for Plaintiff
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Buffalo, New York 14202

TO: Jeremy Toth, Esq.
ERIE COUNTY ATTORNEY'S OFFICE
Attorneys for Defendants
95 Franklin Street, Room 1634
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MAB/kms